

EXTRADITION

Convention signed at Washington June 11, 1884, supplementing convention of March 23, 1868

Senate advice and consent to ratification July 5, 1884

Ratified by Italy August 8, 1884

Ratified by the President of the United States April 10, 1885

Ratifications exchanged at Washington April 24, 1885

Entered into force April 24, 1885

Proclaimed by the President of the United States April 24, 1885

Revived (after World War II) February 6, 1948,¹ pursuant to article 44 of treaty of peace signed at Paris February 10, 1947²

24 Stat. 1001; Treaty Series 181

The President of the United States of America and His Majesty the King of Italy, being convinced of the necessity of adding some stipulations to the extradition convention concluded between the United States and Italy on the 23d of March, 1868,³ with a view to the better administration of justice and the prevention of crime in their respective territories and jurisdictions, have resolved to conclude a supplementary convention for this purpose, and have appointed as their Plenipotentiaries, to wit:

The President of the United States, Frederick T. Frelinghuysen, Secretary of State of the United States;

And His Majesty the King of Italy, Baron Saverio Fava, His Envoy Extraordinary and Minister Plenipotentiary at Washington;

Who, after reciprocal communication of their full powers, which were found to be in good and due form, have agreed upon the following articles:

ARTICLE I

The following paragraph is added to the list of crimes on account of which extradition may be granted, as provided in Article II of the aforesaid convention of March 23, 1868:

¹ *Department of State Bulletin*, Feb. 22, 1948, p. 248.

² TIAS 1648, *ante*, vol. 4, p. 325.

³ TS 174, *ante*, p. 76.

9. Kidnapping of minors or adults, that is to say, the detention of one or more persons for the purpose of extorting money from them or their families, or for any other unlawful purpose.

ARTICLE II

The following clause shall be inserted after Article V of the aforesaid Convention of March 23, 1868:

Any competent judicial magistrate of either of the two countries shall be authorized after the exhibition of a certificate signed by the Minister of Foreign Affairs or the Secretary of State attesting that a requisition has been made by the Government of the other country to secure the preliminary arrest of a person condemned for or charged with having therein committed a crime for which, pursuant to this Convention, extradition may be granted, and on complaint duly made under oath by a person cognizant of the fact, or by a diplomatic or consular officer of the demanding Government, being duly authorized by the latter, and attesting that the aforesaid crime was thus perpetrated, to issue a warrant for the arrest of the person thus inculpated, to the end that he or she may be brought before the said magistrate, so that the evidence of his or her criminality may be heard and considered; and the person thus accused and imprisoned shall from time to time be remanded to prison until a formal demand for his or her extradition shall be made and supported by evidence as above provided; if, however, the requisition, together with the documents above provided for, shall not be made, as required, by the diplomatic representative of the demanding Government, or, in his absence, by a consular officer thereof, within forty days from the date of the arrest of the accused, the prisoner shall be set at liberty.

ARTICLE III

These supplementary articles shall be considered as an integral part of the aforesaid original extradition convention of March 23, 1868, and together with the additional article of January 21, 1869, as having the same value and force as the Convention itself, and as destined to continue and terminate in the same manner.

The present Convention shall be ratified, and the ratifications exchanged at Washington as speedily as possible, and it shall take effect immediately after the said exchange of ratifications.

In testimony whereof, the respective Plenipotentiaries have signed the present Convention in duplicate, and have thereunto affixed their seals.

Done at Washington, this eleventh day of the month of June in the year of our Lord one thousand eight hundred and eighty-four.

FRED'K. T. FRELINGHUYSEN	[SEAL]
FAVA	[SEAL]